

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated March 28, 2006

Claims 1-3 and 5-8 are canceled. Claims 4 and 9-12 are pending.

Claims 4 and 9-12 are rejected under 35 U.S.C. § 103 as being obvious over U.S.

Patent No. 5,627,583 to Nakamura et al. (“Nakamura”) in view of U.S. Patent No. 4,831,444 to Kato (“Kato”). Reconsideration of the application in light the remarks below is respectfully requested.

Among the limitations of independent claim 4 which are neither disclosed nor suggested even in a combination of the art of record are:

wherein the endoscope function adjusting circuit comprises a delay amount adjusting circuit for canceling the effect of a signal delay taking place in a signal cable connecting the solid-state image pickup device to the signal processing circuit, by adjusting timing of pulse-wave drive signals of the solid-state image pickup device....

The Office Action on page 3 admits that the Nakamura reference fails to show this limitation and points to Kato. Specifically, the Office Action points to Fig. 8C and element 36 of Kato as corresponding to this limitation. However, independent claim 4 recites that the endoscope function adjusting circuit adjusts timing of the pulse-wave of the drive signals of a solid-state image pickup device. Element 36 in Kato is most clearly explained with reference to the embodiment in Fig. 1 and the corresponding text in Column 4, lines 19-43 which recites in part “[d]elay circuit 36 serves to match phase as much as possible when a too great phase difference to be matched by VCO 34 is produced.” See Kato, Column 4, lines 37-40. Signal processing circuit 12, of which delay circuit 36 is a part, is used to adjust a phase of signals sent to signal processor 30 based on signals received from charge coupled device 20. See, Column 4, lines 19-43. Phase comparator 38 compares the signals from charge coupled device 20 with those being input to single processor 30 and adjusts a phase accordingly. Id. Thus, it is the signals input to signal processor 30 of signal processing circuit 12 which are affected by delay circuit 36 - and not the signals input to drive pulse generator 22.

Independent claim 4 recites that the pulse-wave drive signals of the solid-state image pickup device are affected by the adjusting circuit. The Examiner has previously (in an Office Action dated March 18, 2004) focused on Column 4, lines 44-54 as showing this limitation. That section of Kato clearly states that the output of CCD 20 is made coincident in phase with the output of the generator 32. This result is accomplished through the use of the structure discussed above. That is, the output of CCD 20 is unaltered and the input to timing generator 32 is modified. Moreover, there is never any modification made to the input or "drive" signal of drive pulse generator 22.

Therefore, it is asserted that independent claim 4 is patentable over even a combination of the art of record. Dependent claims 9-12 include the above referenced limitations of independent claim 4 and include additional recitations which, when combined with limitations of independent claim 4, are also neither disclosed nor suggested in even in the combination of the art of record. It is asserted that these claims are patentable as well. Reconsideration of the rejection of claims 4 and 9-12 under 35 U.S.C. § 103 is respectfully requested in light of the remarks above.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 20, 2006

MAX MOSKOWITZ

Name of applicant, assignee or
Registered Representative

Signature
June 20, 2006

Date of Signature

Respectfully submitted,

MAX MOSKOWITZ
Registration No.: 30,576
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700